Case 6:16-cv-06263-MAT-JWF Document 18 Filed 02/24/17 Page 1 of 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DACOLA SHORES PROPERTIES, LLC,

Plaintiff,

vs. Docket No.: 6:16-cv-06263-MAT-JWF

ERIE INSURANCE COMPANY,

Defendant.

STIPULATION OF DISMISSAL

WHEREAS, plaintiff and defendant have reached a settlement acceptable to both parties and

WHEREAS the plaintiff has executed a general release with a confidentiality provision;

NOW, THEREFORE, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties agree and stipulate that plaintiff's complaint shall be dismissed with prejudice and on the merits, that each party shall bear their own fees and costs in connection with

this action, and that the Clerk of the Court may file this Stipulation of Dismissal without providing further notice.

Dated

Buffalo, New York

LAW OFFICES OF RAYMOND C. STILWELL

By:

Raymond C. Stillwell, Esq.

Attorneys for Plaintiff Dacola Shores Properties, LLC 4476 Main Street, Suite 120 Amherst, New York 14226

Tel: (716) 634-9307

Email: rcstilwell@roadrunner.com

RUPP BAASE PFALZGRAF CUNNINGHAM LLC

By:

Marco Cercone, Esq. Thomas D. Lyons, Esq.

Attorneys for Defendant Erie Insurance Company 1600 Liberty Building Buffalo, New York 14202

Tel: (716) 854-3400

Email: cercone@ruppbaase.com Email: lyons@ruppbaase.com